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By: Printed: Nancy Ramos**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: Henry Yue; Y. Tom Tang; Preeti G. Lal; Roopa Reddy; Mariah R. Baughn;
Junming Yang; Yalda Azimzai

Title: **FULL-LENGTH EXPRESSED GENETIC MARKERS**

Serial No.: To Be Assigned

Filing Date:

Herewith

Examiner: To Be Assigned

Group Art Unit:

To Be Assigned

Commissioner for Patents
Washington, D.C. 20231

INFORMATION DISCLOSURE STATEMENT

Sir:

Pursuant to 37 C.F.R. §§ 1.56, 1.97 and 1.98, Applicants wish to call to the attention of the Examiner the enclosed "List of References Cited by Applicants." The right is reserved to antedate any item in accordance with standard procedure.

Applicants respectfully submit under 37 C.F.R. 1.98(3)(d) that copies of the references are not included herein as copies were previously cited by or submitted to the Office in parent application Serial No. 09/311,894, filed May 14, 1999, from which we are claiming priority under 35 U.S.C. 120.

Citation of the documents is not to be construed as an admission that the documents are necessarily prior art with respect to the instant invention. This submission is understood to complement the results of the Examiner's own independent search. Citation of the documents shall not be construed as a representation that a search has been made or that the cited items are inclusive of all the relevant and material citations that may be available publicly. Any NCBI report included herein may not have

an accurate date for prior art purposes. Some of the documents may have markings thereon. No significance is meant to be attached to the markings.

Applicants respectfully request that the cited documents be considered by the Examiner and that an initialed copy of the List of References Cited by Applicants be returned to Applicants.

It is believed that this disclosure complies with 37 CFR §§ 1.56, 1.97 and 1.98 and the Manual of Patent Examining Procedures § 609. If for some reason the Examiner considers otherwise, please telephone the undersigned.

Applicants believe that no fee is due with this paper. However, if the Commissioner determines that a fee is necessary, the Commissioner is hereby authorized to charge any additional fees associated with this communication or credit any overpayment to Deposit Account No. **09-0108**. **A duplicate copy of this communication is enclosed.**

If there are any questions regarding the above, the Examiner is invited to call the undersigned at 650-855-0555.

Respectfully submitted,

INCYTE GENOMICS, INC.

Date: August 29, 2001

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U.S. Department of Commerce, Patent and Trademark Office				Atty Docket No.		Serial No.	
				PF-0695-2 CON		To Be Assigned	
LIST OF REFERENCES CITED BY APPLICANTS				Applicants			
(Use several sheets if necessary)				Yue et al.			
				Filing Date		Group	
				Herewith		To Be Assigned	
U.S. Patent Documents							
*Examiner Initial	Document Number	Date	Name	Class	Subclass	Filing Date If Appropriate	
	1	5,767,258	June 1998	Sidransky	536	23.1	
Foreign Patent Documents							
						Translation	
	Document	Date	Country	Class	Subclass	Yes	No
	2	WO 99/54468	28 Oct. 1999				
	3	WO 99/57132	11 Nov. 1999				
	4	EP 0679716	02 Nov 1995				
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	6	WO 9938972	05-Aug 1999				
	7	WO 9964594	16 Dec 1999				
OTHER ART (Including Author, Title, Date, Pertinent Pages, Etc.)							
	8	Wang, D.G. et al., "Large-scale identification, mapping, and genotyping of single-nucleotide polymorphisms in the human genome", <u>Science</u> , 280: 1077-1082(1998)					
	9	Lander, E.S. et al., "The new genomics: global views of biology", <u>Science</u> , 274: 536-539 (1996)					
	10	Hillier, L. et al., (Direct Submission), GenBank Sequence Database (Accession W38715), National Center for Biotechnology Information, National Library of Medicine, Bethesda, Maryland, 20894, (GI 1320422) 15 May 1996					
	11	Oh, J.J. et al., "Identification of differentially expressed genes associated with HER-2/ <i>neu</i> overexpression in human breast cancer cells", <u>Nuc. Acids Res.</u> , 27(20): 4008-4017 (1999)					
	12	van Eenennaam, H. et al., "hPop4: a new protein subunit of the human RNase MRP and RNase P ribonucleoprotein complexes", <u>Nuc. Acids Res.</u> , 27(12): 2465-2472 (1999)					
Examiner			Date Considered				
<p>*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with your communication to applicant.</p>							

OTHER ART (Including Author, Title, Date, Pertinent Pages, Etc.)

13	Oh, J.J. et al., (Direct Submission) NCBI Accession No. AF103801 (GI 6048969), 16 Oct. 1999		
14	van Eenennaam, H. et al., (Direct Submission) NCBI Accession No. Y18863 (GI 4493696), 16 Mar. 2000		
15	Jarrous, N. et al., (Direct Submission) NCBI Accession No. AF001176 (GI 4309675), 1 Mar. 1999		
16	Reguenga, C. et al., (Direct Submission) NCBI Accession No. AF072864 (GI 5441951), 12 July 1999		
17	Ye, M. et al., (Direct Submission) NCBI Accession No. AF161477 (GI 6841477), 1 Feb. 2000		
18	Lai, C.H. et al., (Direct Submission) NCBI Accession No. AF132952 (GI 4680674), 18 May 2000		
19	Collins, J.E. and E.J. Huckle, (Direct Submission) NCBI Accession No. AL050255, 21 May 1999		
20	Ye, M. et al., (Direct Submission) NCBI Accession No. AF161466 (GI 6841455), 1 Feb. 2000		
21	Smith, M., (Direct Submission) NCBI Accession No. AL021937 (GI 4165210), 12 Dec. 1999		
22	Database EMBL, EBI; ACC. No.: AA279948, Strausberg et al., (3 April 1997) "National Cancer Institute, Cancer Anatomy Project (CGAP)" XP002148067		
23	Database EMBL, EBI; ACC No.: D53511, Fujiwara et al., (25 August 1995) "Human fetal brain cDNA 5' -end GEN-111H12", XP002148068		
24	Jarrous et al. Rpp14 and Rpp29, two protein subunits of human ribonuclease P. RNA, vol. 5(2), pp. 153-157 (Feb. 1999).		
25	Jarrous et al. GenEMBL Accession Number AF001176 (01-March-1999).		
26	NCI-CGAP http://www.ncbi.nlm.nih.gov/ncicgap EST database Accession Number AA865304 (29 April 1998).		
27	Stratagene 1991 product catalog, Prime-It™ Random Primer Labeling Kit, Catalog number 300387, page 66.		
28	Rockett et al. "Differential gene expression in drug metabolism and toxicology: practicalities, problems and potential," Xenobiotica, 1999, Vol. 29, No. 7, 655-691.		
29	Steiner and Anderson, "Expression profiling in toxicology -- potentials and limitations," Toxicology Letters 112-113 (2000) 467-471.		
<table border="1"> <tr> <td>Examiner</td> <td>Date Considered</td> </tr> </table>		Examiner	Date Considered
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OTHER ART (Including Author, Title, Date, Reference Pages, Etc.)					
	30	Nuwaysir et al., "Microarrays and Toxicology: The Advent of Toxicogenomics," Molecular Carcinogenesis 24, 153-159 (1999).			
	31	Rocket and Dix, "Application of DNA Arrays to Toxicology," Workshop Summary, Vol. 107, No. 8, 681-685 (August 1999)			
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